

## REMARKS

Claims 1, 4-8, 10-18 and 20-24 are pending in the present application.

Claims 1, 4, 10 and 18 have been amended.

Claims 20-24 are newly entered.

No new matter has been added as a result of the amendments.

All claims are believed to be in condition for allowance for the reasons set forth herein.

### Claim Objections

Claims 18 and 19 are objected to because of formalities. Each claim has been amended thereby rendering the rejection moot.

### Rejections under 35 U.S.C. § 102

Claims 1-2, 6-8 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Santo et al.

Santo et al. is cited as disclosing the invention. Applicants respectfully disagree.

Claim 1 as amended specifically recites that the pigment consist essentially of porous inorganic silica. Santo et al. recites in col. 8, lines 61-65 that untreated pigments, of

which silica is an example, can only be used at less than 50% by weight of the total pigment used. Santo et al. therefore teaches against a pigment which consist essentially of porous inorganic silica as specifically recited in claim 1.

Claim 2 is cancelled and the rejected directed thereto is moot.

Claims 6-8 and 16 ultimately depend from claim 1 and are therefore not anticipated by Santo et al. for, at least, the same reasons as claim 1.

The rejection of claims 1-2, 6-8 and 16 under 35 U.S.C. 102(b) as being anticipated by Santo et al. is overcome by amendment.

#### Rejections under 35 U.S.C. § 103

Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santo in view of '964 to Ogawa et al.

Claim 3 is cancelled thereby rendering the rejection directed thereto moot.

Santo is cited as teaching the claimed invention. Applicants disagree for the reasons set forth above. Santo is also cited as teaching that amorphous alumina hydrate pigments may be mixed with silica. This argument is antithetical to the claimed invention since the claim specifically recites

that the pigment consist essentially of porous inorganic silica.

Ogawa is cited as teaching that amorphous silica and porous alumina hydrate pigments are interchangeable. Applicants argue that this comparison is irrelevant. Even if correct, which Applicants do not concede, one of skill would be led to less than 50% porous alumina hydrate and the claim is still not obviated.

The rejection of claims 3 and 4 under 35 U.S.C. 103(a) as being unpatentable over Santo in view of '964 to Ogawa et al. is rendered moot by amendment.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santo in view of Furukawa et al.

Claim 9 is cancelled thereby rendering the rejection directed thereto moot.

Santo is cited as teaching the claimed invention. Applicants disagree with this position as set forth above.

The Office acknowledges that Santo also fails to recite the cationic binder of claims 9 and 10 and relies on Furukawa for such teaching.

Furukawa fails to mitigate the deficiencies of Santo as a primary reference. Furukawa recites binders but fails to

recite the specific limitations of the pigment as set forth in claim 10 by dependence from claim 1.

The rejection of claims 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Santo in view of Furukawa et al. is rendered moot by amendment.

Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santo et al. in view of Mochizuki et al. and further in view of USPN 6,022,440 to Nordeen et al.

Claims 11-15 ultimately depend from claim 1. Santo is cited as applied to claim 1 which is refuted by the Applicants as set forth above.

The Office acknowledges that Santo et al. also fails to recite an adhesive polymer disposed between a support and ink receiving layer. Nordeen et al. is cited as disclosing the adhesive polymer which is otherwise lacking in Santo et al. Mochizuki is cited as disclosing several examples of acrylate latex polymers.

Nordeen et al. and Mochizuki fail to mitigate the deficiencies of Santo et al. related to the pigment. Even if Nordeen et al. and Mochizuki were combined with Santo et al. one of skill in the art would still not arrive at the invention of claims 11-15 since the pigment would still not be taught.

The rejection of claims 11-15 under 35 U.S.C. 103(a) as being unpatentable over Santo et al. in view of Mochizuki et al. and further in view of USPN 6,022,440 to Nordeen et al. is rendered moot by amendment.

Claims 5, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santo in view of Shaw-Klein et al.

Santo is discussed above and all comments are equally relevant here.

The Office acknowledges that Santo fails to recite the specific characteristics of the silanol as set forth in claims 5, 17 and 18. Shaw-Klein is relied on for those teachings which are otherwise lacking in Santo.

Even if one did combine the specific silanol of Shaw-Klein with the teachings of Santo they would not arrive at the instant invention for the reasons of record above.

The rejection of claims 5, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Santo in view of Shaw-Klein et al. is overcome by amendment.

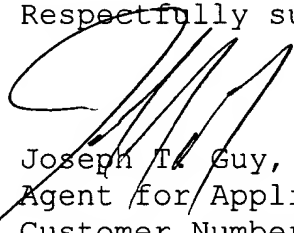
Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Santo in view of '964 to Ogawa et al. and further in view of Mukoyoshi et al.

Claim 19 is cancelled thereby rendering the rejection moot.

### **CONCLUSIONS**

All claims are believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,



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